



**STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE
LOS ANGELES COUNTY BUSINESS LICENSE COMMISSION
KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, ROOM 374-A
LOS ANGELES, CALIFORNIA 90012
<http://board.co.la.ca.us/blc>**

Wednesday, July 9, 2014

9:00 AM

AUDIO LINK FOR THE ENTIRE MEETING. (14-3181)

Attachments: [AUDIO](#)

Present: President Steven Afriat, Vice President Renée Campbell,
Secretary Sara Vasquez, Commissioner Shan Lee and
Commissioner James Barger

1. Call to Order. (14-2994)

President Afriat called the meeting to order at 9:00 a.m. President Afriat led the Pledge of Allegiance.

I. ADMINISTRATIVE MATTER

2. Approval of Minutes for the meeting June 11, 2014. (14-2995)

On motion of Commissioner Barger, seconded by Vice President Campbell, and unanimously carried by the following vote, this item was approved:

Ayes: 4 - President Steven Afriat, Vice President Renée Campbell, Commissioner Shan Lee and Commissioner James Barger

Attachments: [SUPPORTING DOCUMENT](#)

II. PUBLIC HEARINGS

3. Hearing on recommendation to deny Annual Dance/SC Business License ID #136747 for Eusebio Preciado, Preciado's Ballroom Dance Studios, located at 24811 Railroad Avenue, Newhall, CA 91321 in the Fifth District. (14-2997)

This item was tabled to allow the applicant time to arrive. In the absence of the applicant, this item was discussed after Item No. 6.

Lupe Duron, Commission Services, reported that Eusebio Preciado agreed in June to attend the July meeting; however, when staff called to confirm if he was on his way to the meeting, Mr. Preciado stated that he was not attending the meeting because he did not receive the written notification for the hearing. Ms. Duron confirmed that a notice was sent via certified mail however, the notice was returned for lack of a suite number, a second notice was sent after the first attempt, and a return receipt had not been received.

Rita Bowman, Treasurer and Tax Collector's Office (TTC), provided a brief overview of the case. Ms. Bowman explained that the decision for the denial was based on Mr. Preciado's failure to comply with submitting documents required by TTC.

Hamlet Panosian, TTC, clarified that the applicant did not initially submit all the required documents during the first stage of the application process. Mr. Panosian added that Mr. Preciado was originally denied by the City of Santa Clarita's Regional Planning Department in 2010. The issue has since been resolved however; Mr. Preciado has not submitted the remainder of the required documents. Mr. Panosian further added that Mr. Preciado paid all initial application fees and did obtain a live scan at the time of filing. Mr. Preciado is currently operating without a license and current information has not been submitted.

President Afriat clarified that Mr. Preciado has the right to appeal TTC's recommendation to deny and the business license is not before the Commission for consideration, it is the recommendation to deny by TTC that is being considered.

Mr. Panosian confirmed that Mr. Preciado did not appeal the denial by the City of Santa Clarita, instead he collaborated with their Regional Planning Department and as a courtesy, TTC restored the original application. TTC is now recommending denial of the license based on failure to comply with submitting updated documents.

Vice President Campbell recommended that the Commission give Mr. Preciado a second opportunity for a hearing.

In response to questions posed by Commissioner Lee, Ms. Bowman confirmed that all approvals from the various agencies have been received. Mr. Panosian indicated that fees to reapply have not been discussed with Mr. Preciado.

Discussion on Mr. Preciado's failure to comply with submitting required documents ensued. Mr. Panosian indicated that the notice of denial was sent without a suite number and he responded by requesting a hearing, proving that a suite number is not needed.

After discussion, on motion of Commissioner Barger, seconded by President Afriat, and duly carried by the following vote, the Commission supported TTC's recommendation to deny.

Ayes: 3 - President Steven Afriat, Commissioner Shan Lee and Commissioner James Barger

Noes: 2 - Vice President Renée Campbell and Secretary Sara Vasquez

Attachments: [SUPPORTING DOCUMENT](#)

- 4.** Hearing on application for Entertainment-General W/Dance/Annual Dance, Business License ID# 140683, to issue a new license to Casa Escobar Malibu Beach, LLC, Russell T. Harvey, located at 22969 Pacific Coast Highway, Malibu, CA 90265 in the Third District. (14-2999)

Omar Partida, Treasurer and Tax Collector's Office (TTC), reported that the application is for Entertainment General with Dance and Annual Dance. The applicant has obtained all the necessary County approvals; TTC has no objection to the issuance of the license.

Russell T. Harvey, owner of Casa Escobar Malibu Beach, provided a brief overview of the business. Mr. Harvey explained that the business is a Mexican restaurant that was relocated from the previous site after the sale of the property.

In response to questions posed by President Afriat, Mr. Harvey indicated they have been in operation in the current location for six months and entertainment is not yet provided.

In response to an objection letter presented, Mr. Harvey stated that the letter is based on the previous owner's business operations. Mr. Harvey stated that the restaurant is not a night club; the intent is to provide live entertainment consisting of a small band on the weekends. Mr. Harvey confirmed that the Conditional Use Permit (CUP) has noise restrictions.

Mr. Harvey indicated that the restaurant closes by 11:00 p.m. during the week and 2:00 a.m. on the weekends and a three to four member band is the ideal size for the venue. Katherine Harvey, wife of Mr. Harvey, joined the discussion and indicated that she is an experienced restaurateur. Mr. Harvey confirmed that they are in compliance with the City of Malibu's noise restrictions.

Discussion ensued on noise issues. President Afriat suggested that the rear doors remain closed during business hours.

Secretary Vasquez questioned Mr. Harvey regarding an advertisement in which it is stated that there will be music played in the patio area. Mr. Harvey confirmed that they have been in operation for six months, and the music played in the patio area is transmitted through speakers from the bar area.

Vice President Campbell questioned Mr. Harvey regarding an advertised beach party. Mr. Harvey confirmed that a live band was present and a complaint by neighbors was made to the City of Malibu.

Mr. Harvey indicated that they have tried to reach out to neighbors to remedy the issue; however, he indicated that the intent of the objection letter is to have the entertainment license revoked and have all entertainment terminated.

Commissioner Barger expressed concern regarding Mr. Harvey's practice of not complying with the CUP noise restrictions.

Sanaea Daruwalla, representative for Stella Yap, spoke on Ms. Yap's behalf in opposition of the business. In response to President Afriat, Ms. Daruwalla agreed that Pacific Coast Highway is a popular area and high noise levels are not uncommon; however, she explained that her client is concerned with the owners' compliance with the noise restrictions. Discussion on Pacific Coast Highway noise issues ensued.

President Afriat suggested to Ms. Daruwalla that she register with the Los Angeles County Lobbyists Division. Ms. Daruwalla agreed.

The Commission expressed concern with the owner's lack of awareness of the conditions stipulated in the CUP. Commissioner Lee indicated that according to the CUP, signage with a phone number must be visibly displayed. Mr. Harvey confirmed that a sign displaying their phone number is not available at this time. Secretary Vasquez questioned the availability of security guards. Mr. Harvey indicated that security guards are available on an as needed basis.

Secretary Vasquez questioned Mr. Harvey regarding the collection of parking fees. Mr. Harvey confirmed that beach parking fees are collected. Secretary Vasquez explained that according to the CUP a selected number of parking spaces must be made available to their patrons. President Afriat suggested that Mr. Harvey not allow his patrons beach parking.

Mr. Harvey confirmed that they are in possession of a type 47 ABC license and as required food sales exceed alcohol sales. In addition, Ms. Harvey confirmed that food, such as chips and salsa are served after 11:00 p.m. Discussion ensued regarding their hours of operation and including additional conditions.

After discussion, on motion of President Afriat, seconded by Commissioner Barger, and duly carried by the following vote, the Commission approved the aforementioned license with the following conditions:

- **Sunday, Monday and Tuesday, business must close at 12:00 a.m.;**
- **Wednesday and Thursday, business must close at 1:00 a.m.;**
- **Friday and Saturday, business must close at 2:00 a.m.;**
- **Signage with telephone number must be displayed in front of restaurant;**
- **Must comply with the existing CUP;**
- **Live entertainment is not allowed on patio;**
- **No amplified music on patio after 10:00 p.m.;**
- **Must keep back doors closed; and**
- **Return in 90 days for Commission review.**

Ms. Daruwalla asked the Commission to include parking regulations as a

condition. President Afriat explained to Ms. Daruwalla that the Commission does not have authority over parking and recommended that she reach out to the City of Malibu. The Commission scheduled the 90-day review for Wednesday, October 8, 2014 at 9:00 a.m.

Ayes: 5 - President Steven Afriat, Vice President Renée Campbell, Secretary Sara Vasquez, Commissioner Shan Lee and Commissioner James Barger

Attachments: [SUPPORTING DOCUMENT](#)

- 5.** Hearing on application for Health Spa/Club/SC for the City of Santa Clarita, Business License ID# 140145, to issue a new license to 24 Hour Fitness, Inc., /Kimberly Griffin, Vice President and Corporate Counsel of 24 Hour Fitness #169, located at 18645 Via Princesa, Santa Clarita, CA 91350 in the Fifth District. (14-3000)

Omar Partida, Treasurer and Tax Collector's Office (TTC), reported that the application is for a Health Spa Club business license, and the hearing is being held for the City of Santa Clarita. The applicant has obtained all the necessary County approvals; the City of Santa Clarita has no objection to the issuance of the license.

Justin Ghadery, District Manager for 24 Hour Fitness, provided a brief overview of the business. Mr. Ghadery indicated that this location is open 24 hours a day, seven days a week.

On motion of Commissioner Barger, seconded by Vice President Campbell, and unanimously carried by the following vote, the Commission approved the aforementioned license.

Ayes: 5 - President Steven Afriat, Vice President Renée Campbell, Secretary Sara Vasquez, Commissioner Shan Lee and Commissioner James Barger

Attachments: [SUPPORTING DOCUMENT](#)

- 6.** Hearing on application for Annual Dance, Business License ID# 141200, to issue a new license to Nancy M. Scott, owner of Dancin' in Acton, located at 33320 Santiago Road, Acton, CA 93510 in the Fifth District. (14-3001)

Omar Partida, Treasurer and Tax Collector's Office (TTC), reported that the application is for an Annual Dance business license. The applicant has obtained all the necessary County approvals; TTC has no objection to the issuance of the license.

Nancy M. Scott, owner of Dancin' in Acton, provided a brief overview of

the business. Ms. Scott indicated that her two daughters offer dance lessons to patrons of ages from as young as 18 months to adult. Hours of operation are generally after school; Monday through Friday, in the afternoons.

President Afriat expressed concern regarding the clarity on behalf of the Fire Department's comments on the approvals and asked TTC staff to invite the Fire Department to the next meeting. Hamlet Panosian, TTC, explained that he has been in communication with the Fire Department. Discussion regarding language noted in approvals ensued.

On motion of Commissioner Barger, seconded by President Afriat, and unanimously carried by the following vote, the Commission approved the aforementioned license:

Ayes: 5 - President Steven Afriat, Vice President Renée Campbell, Secretary Sara Vasquez, Commissioner Shan Lee and Commissioner James Barger

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III. REPORT

7. Commissioners' Comments. (14-3002)

The Commission reviewed the calendar for July and August 2014. The Commission agreed to cancel the following meeting dates:

July 16, 2014
July 23, 2014 and July 30, 2014.

The next regular meeting is scheduled for Wednesday, August 6, 2014.

IV. MISCELLANEOUS

8. Opportunity for members of the public to address the Commission on items of interest that are within the jurisdiction of the Commission. (14-3004)

No members of the public addressed the Commission.

9. Adjournment for the meeting of July 9, 2014. (14-3005)

On motion of Commissioner Barger, seconded by President Afriat, the Commission adjourned the meeting at 10:21 a.m.